THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4606 of 2007

Dated:08.03.2007

Between:

Mahindra & Mahindra Financial Services Ltd.

…Petitioner

and

The District Collector and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4606 of 2007

ORDER:

The petitioner is Non-Banking Financial Company. There is a dispute in relation to a contract of loan between the petitioner and the third respondent, a farmer, who availed financial assistance from the petitioner for purchase of a Tractor. It appears, the third respondent approached the District Collector in June 2006 alleging harassment. The agony by the third respondent was also prominently published in the newspaper. The Collector, Nizamabad, then sent a communication dated 20.06.2006 to the second respondent, who issued impugned letter requesting the petitioner to return the pass books, Andhra Bank Cheques and also issue a No Due certificate. Alleging that the Mandal Revenue Officer or the Collector has no such authority to intervene in a private dispute, the present Writ Petition is filed.

This Court specifically put a query to the learned Counsel for the petitioner as to how a Writ Petition would be maintainable in such a case. Learned Counsel for the petitioner submits that in a private dispute the Mandal Revenue Officer cannot intervene.

Having regard to the unpleasant experience in the State of Andhra Pradesh for the last five years, where large number of small and marginal farmers committed suicide not able to endure the harassment of loan sharks, it has fallen on the District Collector to see that as far as possible the grievances of the farmers are redressed immediately. If in that direction, respondents 1 and 2 request the petitioner, nothing prevents them to approach the District Collector and explain the actual position. This was not done. Therefore, it would be better if the petitioner approaches the District Collector (Grievance Cell) in this regard. In this Writ Petition respondents 1 and 2, the public

authorities, cannot be compelled not to look into the grievances of the farmers and marginal farmers like the third respondent.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

08.03.2007
vs